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PATENT
988.1071

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:)
Clifton Lind et al.   )
)   Examiner: Corbett B. Coburn
Serial No.:   10/808,914   )
)
Filed: March 25, 2004   )   Group Art Unit: 3714
)
FOR: AUTOMATIC DAUBING APPARATUS   )
       AND METHOD FOR ELECTRONIC   )   Confirmation No.:   8059
       BINGO GAMING SYSTEMS   )

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

BRIEF OF APPELLANTS

This is an appeal from the Final Office Action mailed July 17, 2007 (the "Final Office

Action"), in the above-identified application. Appellants submit this brief to the Board of Patent

Appeals and Interferences ("Brief") within the two-month period following the Notice of Appeal

filed December 17, 2007. The fee of $255.00 due under 37 C.F.R. §41.20(b)(2) is being

submitted concurrently with this Brief.

1   **I. REAL PARTY IN INTEREST (37 C.F.R. §41.37(c)(1)(i))**

2   The above-described patent application is assigned to Multimedia Games, Inc., the real

3 party in interest.

4

5   **II. RELATED APPEALS AND INTERFERENCES (37 C.F.R. §41.37(c)(1)(ii))**

6   There is no related Appeal or Interference before the United States Patent and Trademark

7 Office.

8

9   **III. STATUS OF CLAIMS (37 C.F.R. §41.37(c)(1)(iii))**

10   The status of the claims is as follows:

11   Allowed Claims: None

12   Claims to which Objections apply: None

13   Claims withdrawn from consideration: None

14   Claims Canceled: 1, 4-6, and 10-11

15   Claims Rejected: 2, 3, 7-9, and 12-19

16   Claims Appealed: 2, 3, 7-9, and 12-19

17

18   **IV. STATUS OF AMENDMENTS (37 C.F.R. §41.37(c)(1)(iv))**

19   There have been no claim amendments filed subsequent to the Final Office Action.

V. SUMMARY OF CLAIMED SUBJECT MATTER (37 C.F.R. §41.37(c)(1)(v))

The application includes three independent claims, claims 16, 18, and 19 each of which is summarized as follows. All page and line number references in this section are to the original application, and drawing references are to the original drawings, all filed March 25, 2004.

Claim 16

Independent claim 16 is directed to a gaming system for conducting bingo-type games. The claimed gaming system includes a player station (40 in Figs. 3 and 4), a user interface (45 and 46 in Fig. 4) included with the player station 40, a data storage device (data storage associated with a central computer, e.g. central computer 36 in Fig. 3), a back office system (12 in Fig. 3), and an automatic daub control (44 in Fig. 4). The user interface, data storage device, back office system, and automatic daub control are defined in terms of their function in the apparatus in accordance with 35 U.S.C. §112, sixth paragraph. The user interface, touchscreen 45 and/or control panel 46, included with the player station 40 serves two functions: (1) enabling a player using the player station 40 to enter a game play request for a play in a bingo-type game to initiate a game play request communication from the player station 40 (p. 23, line 19 to p. 24, line 5), and (2) enabling the player to enter an automatic daub input for the play in the bingo-type game as a separate input after entry of the game play request (p. 24, line 20 to p. 25, line 2). The data storage device associated with central computer 36 stores a matched card set (p. 10, lines 1-3) which includes a number of game play records (p. 8, lines 11-19). Each game play record in the matched card set corresponds to a respective bingo card representation (p. 15, lines 20-21) and includes a result indicator indicating a result of a match between the respective bingo card representation and a set of game designations (p. 16, lines 1-3). The back office system 12 is

1   connected for communication with the player station 40 and is also connected for communication

2   with central computer 36 (Fig. 3; p. 7, line 14 to p. 8, line 3). The back office system 12

3   functions to assign a respective game play record from the matched card set preferably stored at

4   the data storage device associated with central computer 36 to the player station 40 in response to

5   receiving the game play request communication (p. 6, lines 11-14; p. 17, line 18 to p. 18, line 2).

6   The automatic daub control implemented through player station processor 44 functions to apply

7   the set of game designations in response to the automatic daub input to automatically daub the

8   respective bingo card representation associated with the respective game play record assigned to

9   the player station (p. 24, line 21 to p. 25, line 2).

10   <u>Claim 18</u>

11   Claim 18 is also directed to a gaming system for conducting bingo-type games similarly

12   to claims 16, but requires a number of player stations. In addition to the number of player

13   stations, claim 18 requires the following elements defined in accordance with 35 U.S.C. §112,

14   sixth paragraph: a user interface 45 associated with each player station 40, a data storage device,

15   a back office system 12, and a respective automatic daub control 44 included with each

16   respective player station. The respective user interface associated with a given player station 40

17   performs two functions. First, the respective user interface enables a player using the respective

18   player station 40 to enter a game play request for a play in a bingo-type game to initiate a game

19   play request communication from the respective player station (p. 23, line 19 to p. 24, line 5).

20   Second, the respective user interface enables the player to enter an automatic daub input for the

21   play in the bingo-type game as a separate input after entry of the game play request. (p. 24, line

22   21 to p. 25, line 2). The data storage device functions to store a matched card set (p. 10, lines 1-

1   3) which includes a number of game play records (p. 8, lines 11-19), each game play record

2   corresponding to a respective bingo card representation (p. 15, lines 20-21) and including a result

3   indicator indicating a result of a match between the respective bingo card representation and a set

4   of game designations (p. 16, lines 1-3). The back office system 12 is connected for

5   communication with each respective player station 40 (Fig. 3; p. 7, line 14 to p. 8, line 3) and for

6   communication with the data storage device (p. 19, lines 1-21), and functions to assign a

7   respective game play record from the matched card set to a respective player station in response

8   to receiving the game play request communication from the respective player station. (p. 6, lines

9   11-14; p. 17, line 18 to p. 18, line 2). The respective automatic daub control included with a

10   given player station is activated in response to the automatic daub input at the player station to

11   automatically daub the respective bingo card representation associated with the game play record

12   assigned to the respective player station (p. 24, line 21 to p. 25, line 2).

13   <u>Claim 19</u>

14   Claim 19 is directed to a method for conducting a bingo-type game. The method includes

15   storing a matched card set at a data storage device (p. 17, line 18 to p. 18, line 2), the matched

16   card set including a number of game play records, with each game play record corresponding to a

17   respective bingo card representation and including a result indicator indicating a result of a match

18   between the respective bingo card representation and a set of game designations (p. 15, line 19 to

19   p. 16, line 3). The method set out at claim 19 also includes receiving a game play request from a

20   player in the bingo-type game and assigning a respective game play record to the player in

21   response to receiving the game play request (p. 18, lines 3-6). The method further includes

22   receiving an automatic daub input from the player in the bingo-type game, the automatic daub

1   input being a separate input after entry of the game play request (p. 24, line 11 to p. 25, line 2).

2   In response to the automatic daub input, the method includes applying the set of game

3   designations to automatically daub the respective bingo card representation associated with the

4   respective game play record assigned to the player (p. 25, line 1).

5

6   **VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**
7   **(37 C.F.R. §41.37(c)(1)(vi))**

8   1.   Claims 2, 3, 7-9, and 12-19 stand rejected under 35 U.S.C. §112, first paragraph, as

9   failing to comply with the written description requirement.

10   2.   Claims 2, 3, 7-9, and 12-19 are rejected under 35 U.S.C. §102(b) as being anticipated by

11   U.S. Patent No. 4,856,787 to Itkis (the "Itkis patent").

12

13   **VII. ARGUMENT (37 C.F.R. §41.37(c)(1)(vii))**

14   A.   CLAIMS 2, 3, 7-9, AND 12-19 COMPLY WITH THE WRITTEN DESCRIPTION
15   REQUIREMENT

16   <u>1. Background</u>

17   The amendment dated February 6, 2006, canceled independent claims 1, 6, and 11, and

18   added new independent claims 16, 18, and 19. Claim 16 as it appeared according to the

19   amendment dated February 6, 2006 included the following limitation:

20   (b)   a user interface included with the player station, the user interface for (i) enabling
21   a player using the player station to enter a game play request for a play in a bingo-
22   type game to initiate a game play request communication from the player station,
23   and for (ii) <u>enabling the player to enter an automatic daub input for the play in the</u>
24   <u>bingo-type game</u> <u>*as a separate input after entry of the game play request*</u>.
25   (Emphasis Added)

1 Claim 18 included a similar limitation as to the automatic daub input being a separate input after

2 entry of the game play request, and claim 19 included a similar limitation in the context of a

3 method. This limitation that the automatic daub input is entered as a separate input after entry of

4 the game play request was not included in the original claims.

5 The next Office Action in the case mailed July 20, 2006, rejected the claims on prior art

6 grounds but did not raise a rejection under Section 112, first paragraph, and included no

7 objection to the drawings. However, the Office Action mailed December 12, 2006, included an

8 objection to the drawing on the ground that the drawings failed to show an automatic daub input

9 separate from the game play request. The Office Action mailed December 12, 2006, also

10 included a rejection under 35 U.S.C. §112, first paragraph, on the ground that the written

11 description in the application did not specify that the automatic daubing input was separate from

12 the game play request. This Section 112, first paragraph rejection was maintained in the Final

13 Office Action and is one of the issues to be considered in this appeal.

14 2. The Written Description Supports the Limitation that the Automatic Daub Input Is Entered
15 Separately from the Game Play Request

16 The written description of an application includes not only the specification and abstract,

17 but also the drawings. In certain cases, the drawings alone may provide the written description of

18 the invention as required by 35 U.S.C. §112, first paragraph. *Vas-Cath Inc. v. Mahurkar*, 935

19 F.2d 1555, 19 U.S.P.Q.2d 1111, 1118 (Fed. Cir. 1991). In this case, it is clear from the process

20 flow chart shown in Figure 9 and the original disclosure describing that figure that the automatic

21 daub input described in the application at page 25, line 2, is indeed an input separate from the

22 input representing the game play request.

1   Original Figure 9 as shown below comprises a process flow chart showing process steps

2   associated with the operation of the player stations. A player login is shown at process block 85.

3   Later in the process flow, the player station waits for a game play request to be entered by the

4   player at the player station. If a game play request has been entered as indicated by a positive

5   outcome at decision block 90, data representing the game play request is communicated to the

6   central processing device in the system as indicated at process block 94. The player station

7   ultimately receives the results associated with a game play record assigned to the game play

8   request by the central processing device, and eventually displays those results as shown at

9   process block 96. It will be noted that process block 96 is shown as a dashed box encompassing

10   a number of process blocks, namely, "RECEIVE GAME CARD RESULT," "DISPLAY CARD,"

11   "DAUB CARD," and "DISPLAY RESULT." It is clear from both Figure 9 and the discussion of

12   that figure in the original disclosure at page 23, lines 4-15 that the process of displaying results

13   represented by process block 96 is after the game play request is entered as indicated by a

14   positive result at decision block 90.
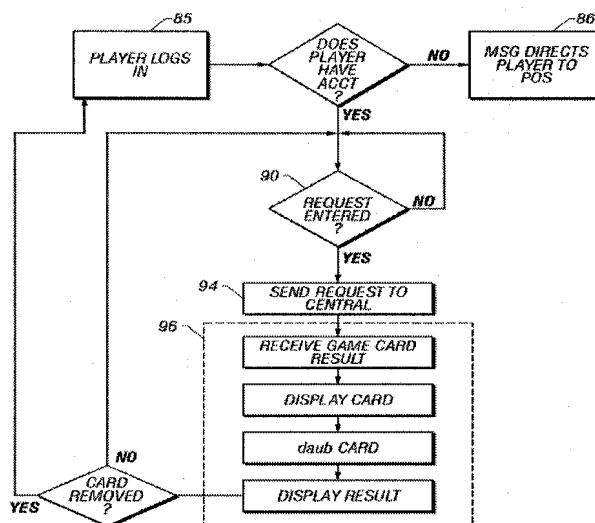
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FIG. 9

Page 7 of 21

1   The discussion in the original disclosure from page 24, line 11 to page 25, line 11

2   describes several alternatives for receiving and displaying results according to process block 96

3   in Figure 9. One alternative is that the player station may display the game card, and the player

4   may manually daub the game card using a touch screen display or some other interface at the

5   player station (disclosure, p. 24, lines 20-21). Another alternative, the alternative that is set out

6   in the presently appealed claims, is that the player station has a control that automatically daubs

7   the players card(s) in response to an automatic daub input entered at the player station (original

8   disclosure at p. 25, lines 1-2). The discussion in the original disclosure from page 24, line 11 to

9   page 25, line 11 indicates that the daubing in either one of these first two alternatives is included

10   in the processes encompassed by dashed box 96 in original Figure 9.

11   The Appellants submit that it is clear from Figure 9 and the text of the original disclosure

12   particularly at page 23, lines 4-15, and page 24, line 11 to page 25, line 2, that the automatic daub

13   input referenced at page 25, line 2 is an alternative within process block 96 in Figure 9 and is

14   therefore necessarily an input separate from the game play request which is detected at the

15   decision block 90 in that figure. The automatic daub input referenced at page 25, line 2 in the

16   original disclosure is necessarily separate from the game play request because the game play

17   request was already entered and detected before even reaching process block 96 in the process

18   flow.

19   It is noted that the original application describes a third daubing alternative at lines 3-11

20   of page 25 of the original disclosure, and that this alternative makes it even more clear that the

21   previously described automatic daub input is an input separate from the game play request.

22   Specifically, the alternative described at lines 3-11 of page 25 specifically states that the game

1   play request entered at the player station represents a request for automatic daubing. Thus this

2   third alternative specifically distinguishes itself from the previously described manual daubing

3   and automatic daub input by indicating that the third alternative is not separate from the game

4   play request. This in itself infers that the automatic daub input described at lines 1-2 of page 25

5   is a separate input from the game play request.

6   Because the limitation that the automatic daub input is separate from the game play

7   request is fully supported by the written description, the Appellants respectfully submit that the

8   rejections under 35 U.S.C. §112, first paragraph, are in error and should be reversed.

9   The Appellants would like to note certain comments made in the Final Office Action

10   regarding the Section 112 rejections. Specifically, the Final Office Action includes the following

11   comments.

12   The only specific mention of an automatic daubing input states that the game play
13   request serves as the automatic daubing request input. (Final Office Action, p. 4,
14   lines 18-19).

15   Fig. 9 shows that the system checks to see if automatic daubing has been selected,
16   but it does not say when the automatic daubing input is made. (Final Office
17   Action, p. 4, lines 20-21).

18   The first statement quoted above is apparently referring to the third daubing alternative

19   described in the present application at page 25, lines 3-11. The statement is plainly incorrect

20   because it overlooks the immediately preceding two paragraphs in the application (page 24, line

21   11 to page 25, line 2), which describe two alternative daubing options including daubing in

22   response to an automatic daub input entered at the player station.

23   The Appellants believe the second statement quoted above is incorrect in that Figure 9

24   does not itself show that the system checks to see if automatic daubing has been selected. Rather

1   Figure 9 specifically discloses that the system checks to see if a game play request has been

2   entered as indicated at decision block 90, and the third daubing alternative disclosed in the

3   application at page 25, lines 3-11 indicates that under that third alternative, the game play request

4   may be taken as a request for automatic daubing.

5   Again, the alternative that the automatic daub input is separate from the game play

6   request is fully supported by the written description including Figure 9 and the disclosure from

7   page 23, line 18 to page 25, line 11. The Appellants therefore respectfully submit that the

8   rejections under 35 U.S.C. §112, first paragraph, are in error and should be reversed.

9

10   **B.**   **CLAIMS 2, 3, 7-9, AND 12-19 ARE NOT ANTICIPATED BY THE ITKIS PATENT**

11   The Appellants respectfully submit that the Final Office Action rejection of claims 2, 3,

12   7-9, and 12-19 as being anticipated by the Itkis patent is in error because that reference does not

13   disclose each and every element required in claims 2, 3, 7-9, and 12-19.

14   <u>1. The Itkis Patent Fails to Disclose All of the Elements Required in the Independent Claims</u>

15   The apparatus set out in independent claim 16 includes at elements (c) and (d):

16   (c)   a data storage device for storing a matched card set, the matched card set
17   including a number of game play records, each game play record corresponding to
18   a respective bingo card representation and including a result indicator indicating a
19   result of a match between the respective bingo card representation and a set of
20   game designations;
21   (d)   a back office system connected for communication with the player station and also
22   connected for communication with the data storage device, **the back office**
23   **system for assigning a respective game play record from the matched card set**
24   **to the player station in response to receiving the game play request**
25   **communication** (Emphasis Added).

1   In rejecting claim 16 in view of the Itkis patent, the Final Office Action makes the

2   following observation regarding the system shown in the Itkis patent:

> 3   *There is a data storage device (43) for storing a matched card set that includes a*
> 4   *number of game play records. Each game play record including a respective*
> 5   *bingo card representation and a result indicator indicating a result of a match*
> 6   *between the respective bingo card representation and a set of game designations.*
> 7   (Col 5, 15-23) Itkis teaches a back office system (1) connected for communication
> 8   with the player station and also connected for communication with the data
> 9   storage device. (Fig. 1) **The back office system assigns a respective game play**
> 10   **record from the matched card set to the player station in response to**
> 11   **receiving the game play request communication.** (Abstract) (Final Office
> 12   Action at p. 3, line 17 to p. 4, line 2, Emphasis Added).

13   First, the Appellants submit that the text at col. 5, lines 15-23 of the Itkis patent does not support

14   the Final Office Action statement set out in italics in the above quote. The cited text at col. 5 of

15   the Itkis patent simply indicates that the microprocessor 43 keeps track of all transactions made

16   with the help of the card 42 including bets and outcomes of games, and stores game specific

17   information such as bingo card contents or a card identification number. A stored record of game

18   outcomes and bingo card representations does not amount to a matched card set including a

19   number of game play records as defined in claim 16.

20   Even more importantly, there is absolutely nothing in the Itkis patent, either in the

21   Abstract or anywhere else, that supports the statement set out in bold in the above quote from the

22   Final Office Action. Specifically, the Itkis patent does not disclose any component that assigns

23   game play records (including a result indicator) from a matched card set in response to receipt of

24   a game play request communication. It is apparent from the discussion in the Itkis patent at col.

25   3, lines 51 to col. 4, line 7 that the master game device 1 transmits the bingo pattern for a game,

26   and the called numbers for the bingo game, but it is up to the slave terminal 7 to determine

1   whether the particular bingo card in play wins or loses. The Itkis patent does not disclose any

2   element for assigning a game play record (including the result indicator) to a slave terminal.

3   Because the Itkis patent does not disclose either of the elements required at (c) and (d) of

4   claim 16, the Appellants submit that claim 16 is not anticipated or rendered obvious by the Itkis

5   patent. The Appellants therefore believe that claim 16 is entitled to allowance together with its

6   respective dependent claims, claims 2, 3, and 17.

7   Each of the other independent claims, claims 18 and 19, include limitations similar to

8   those set out at (c) and (d) of claim 16 (in a method context in claim 19), and thus the arguments

9   set out above as to claim 16 apply with equal force to claims 18 and 19. The Appellants

10   therefore believe that claims 18 and 19 are also entitled to allowance together with their

11   respective dependent claims, claims 7-9 and 12-15.

12   2. Comments in the Final Office Action Indicate that the Anticipation Rejections are Based on a
13   Misinterpretation of the Claims

14   Each of the independent claims in this case include a specific definition of the game play

15   records included in the matched card set. For example, claim 16 requires:

16   (c)   a data storage device for storing a matched card set, the matched card set
17   including a number of game play records, **each game play record corresponding**
18   **to a respective bingo card representation *and including a result indicator***
19   ***indicating a result of a match between the respective bingo card representation***
20   ***and a set of game designations*** (Emphasis Added).

21   In responding to the Appellants' earlier arguments, the Final Office Action refers to a game play

22   record as a "bingo card." (Final Office Action at p. 5, lines 4 and 25). However, the quoted

23   claim language clearly requires more. Specifically, the claims require that each game play record

24   not only corresponds to a respective bingo card representation, but also includes a result indicator

1   indicating the result of a match between the respective bingo card representation and a set of

2   game designations. The claims further require that a respective game play record is assigned

3   from the matched card set in response to a game play request communication (element (d) of

4   claims 16 and 18, and element (c) of claim 19). This assignment of a game play record as

5   defined in the claims is missing from the Itkis patent. That is, although the Itkis patent discloses

6   that the microprocessor 43 keeps track of transactions including bets and outcomes of the games

7   and also bingo game card content (Itkis at col. 5, lines 15-23), there is simply nothing in the Itkis

8   patent to suggest that a game play record as defined in the present claims is stored anywhere in

9   that system, and also nothing to suggest that such a game play record (including a result

10   indicator) is assigned in response to a given game play request.

11   Because the cited reference does not disclose each element required by the present claims

12   the Appellants respectfully submit that the anticipation rejections are in error and should be

13   reversed.

14

15   C.   THE DRAWING AMENDMENTS FILED JUNE 12, 2007 SHOULD BE ENTERED IN
16   THE CASE

17   The Appellants note that the proposed drawing amendments to Figure 9 submitted June

18   12, 2007, were refused entry on the ground that they contained new matter. The proposed

19   amendment changed a textual label in one of the process blocks in dashed box 96 from "DAUB

20   CARD" to "DAUB CARD WITH MANUAL DAUBING OR VIA AUTOMATIC DAUB

21   INPUT." The Appellants note that the manual daubing and automatic daub input alternatives are

22   described in the original disclosure at page 24, line 20 to page 25, line 2. It is believed that this

disclosure at pages 24 and 25 of the present application supports the proposed amendment. Thus the Appellants believe that the proposed drawing change in Figure 9 does not add new matter and should have been entered.

VIII. CONCLUSION

For all of these reasons the Appellants submit that claims 2, 3, 7-9, and 12-19 are entitled to allowance and respectfully request that the Board reverse the decision of the Examiner rejecting these claims.

Respectfully submitted,

The Culbertson Group, P.C.

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3   1.   Canceled

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5   2.   The gaming system of claim 16 wherein the automatic daub control is for automatically

6   daubing multiple bingo card representations in response to the automatic daub input.

7

8   3.   The gaming system of claim 16 wherein the user interface enables the player using the

9   player station to manually daub at least one bingo card representation as an alternative to

10   automatic daubing.

11

12   4-6   Canceled

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14   7.   The gaming system of claim 18 wherein the automatic daub control is for automatically

15   daubing additional bingo card representations in response to the automatic daub input.

16

17   8.   The gaming system of claim 18 wherein each respective user interface enables the player

18   using the respective player station to manually daub an additional bingo card

19   representation received at the respective player station as an alternative to automatic

20   daubing.

21

1   9.   The gaming system of claim 18 wherein the user interface included with at least one

2   respective player station includes a touch screen display.

3

4   10-11 Canceled

5

6   12.   The method of claim 19 further including the step of automatically daubing a number of

7   respective bingo card representations in response to the automatic daub input.

8

9   13.   The method of claim 19 further including the step of enabling the player to manually

10   daub the bingo card representation using a user interface available to the player.

11

12   14.   The method of claim 13 wherein the user interface includes a touch screen display.

13

14   15.   The method of claim 19 wherein the automatic daub input is entered by the player

15   through a user interface at a player station through which the player participates in the

16   bingo-type game.

17

18

19   16.   A gaming system for conducting bingo-type games, the gaming system including:

20   (a)   a player station;

21   (b)   a user interface included with the player station, the user interface for (i) enabling

22   a player using the player station to enter a game play request for a play in a bingo-

1   type game to initiate a game play request communication from the player station,

2   and for (ii) enabling the player to enter an automatic daub input for the play in the

3   bingo-type game as a separate input after entry of the game play request;

4   (c)   a data storage device for storing a matched card set, the matched card set

5   including a number of game play records, each game play record corresponding to

6   a respective bingo card representation and including a result indicator indicating a

7   result of a match between the respective bingo card representation and a set of

8   game designations;

9   (d)   a back office system connected for communication with the player station and also

10   connected for communication with the data storage device, the back office system

11   for assigning a respective game play record from the matched card set to the

12   player station in response to receiving the game play request communication; and

13   (e)   an automatic daub control for applying the set of game designations in response to

14   the automatic daub input to automatically daub the respective bingo card

15   representation associated with the respective game play record assigned to the

16   player station.

17

18   17.   The gaming system of claim 16 wherein the user interface includes a touch screen

19   display.

20

21   18.   A gaming system for conducting bingo-type games, the gaming system including:

22   (a)   a number of player stations;

1	(b)	a user interface associated with each player station, each respective user interface
2		for (i) enabling a player using a respective player station to enter a game play
3		request for a play in a bingo-type game to initiate a game play request
4		communication from the respective player station, and for (ii) enabling the player
5		to enter an automatic daub input for the play in the bingo-type game as a separate
6		input after entry of the game play request;
7	(c)	a data storage device for storing a matched card set, the matched card set
8		including a number of game play records, each game play record corresponding to
9		a respective bingo card representation and including a result indicator indicating a
10		result of a match between the respective bingo card representation and a set of
11		game designations;
12	(d)	a back office system connected for communication with each respective player
13		station and for communication with the data storage device, the back office
14		system for assigning a respective game play record from the matched card set to a
15		respective player station in response to receiving the game play request
16		communication from the respective player station; and
17	(e)	a respective automatic daub control included with each respective player station,
18		the respective automatic daub control being activated in response to the automatic
19		daub input in order to automatically daub the respective bingo card representation
20		associated with the game play record assigned to the respective player station.

1   19.   A method for conducting a bingo-type game, the method including the steps of:

2   (a)   storing a matched card set at a data storage device, the matched card set including

3   a number of game play records, each game play record corresponding to a

4   respective bingo card representation and including a result indicator indicating a

5   result of a match between the respective bingo card representation and a set of

6   game designations;

7   (b)   receiving a game play request from a player in the bingo-type game;

8   (c)   assigning a respective game play record to the player in response to receiving the

9   game play request;

10   (d)   receiving an automatic daub input from the player in the bingo-type game, the

11   automatic daub input being a separate input after entry of the game play request;

12   and

13   (e)   in response to the automatic daub input, applying the set of game designations to

14   automatically daub the respective bingo card representation associated with the

15   respective game play record assigned to the player.

1   **X. EVIDENCE APPENDIX (37 C.F.R. §41.37(c)(1)(ix))**

2   The Appellants have not relied upon any evidence in this appeal according to 37 C.F.R.

3   §41.37(c)(1)(ix).

XI. RELATED PROCEEDINGS APPENDIX (37 C.F.R. §41.37(c)(1)(x))

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2   There is no related Appeal or Interference before the United States Patent and Trademark

3   Office.